

**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

EO-174  
KB

**OFFICE OF ECONOMICS, ENVIRONMENTAL ANALYSIS, AND ADMINISTRATION**

October 13, 2004

Mr. Don Klima, Director  
Office of Planning and Review  
Advisory Council on Historic Preservation  
The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

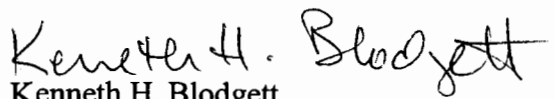
Re: AB-6 (Sub-No. 417X) - The Burlington Northern and Santa Fe Railway Company  
- Abandonment - between MP 18.09 near Glyndon and MP 34.00 near Felton, in  
Clay County, Minnesota

Dear Mr. Klima:

The Burlington Northern and Santa Fe Railway Company (BNSF) filed a Notice of Exemption with the Surface Transportation Board (Board) on May 5, 2004, to abandon rail line in the above-referenced proceeding. In response to BNSF's notification regarding this proposed abandonment, the Minnesota SHPO wrote to BNSF on March 30, 2004, stating that the line may have significance as a important early rail link, and that the abandonment might adversely affect historic properties.

The Section of Environmental Analysis (SEA) is the office within the Board responsible for conducting the environmental review process pursuant to the National Environmental Policy Act, including the National Historic Preservation Act (NHPA). Please find enclosed a copy of the Memorandum of Agreement (MOA) which resulted from the consultation process pursuant to the regulations implementing Section 106 of NHPA. The filing of this MOA with the Council completes our compliance responsibilities under Section 106 of NHPA.

Sincerely yours,

  
Kenneth H. Blodgett  
Section of Environmental Analysis

cc: Mr. John Sims, BNSF  
Mr. Dennis Gimmestad, Minnesota Historical Society  
Mr. Mark Piehl, Clay County Historical Society  
Secretary's Office  
SEA Chron

**MEMORANDUM OF AGREEMENT  
BETWEEN THE SURFACE TRANSPORTATION BOARD,  
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, AND  
THE MINNESOTA HISTORICAL SOCIETY,  
REGARDING PROPOSED ABANDONMENT OF TRACKAGE  
BETWEEN GLYNDON AND FELTON, CLAY COUNTY, MINNESOTA  
STB DOCKET NO. AB-6 (SUB-NO. 417X)**

**WHEREAS**, the Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption with the Surface Transportation Board (STB) under 49 CFR 1152 Subpart F- Exempt Abandonments to abandon a 15.91 – mile rail line between milepost 18.09 near Glyndon and milepost 34.00 near Felton, in Clay County, MN (map attached as Appendix A) – STB Docket No. AB-6 (Sub-No. 417X); and

**WHEREAS**, the STB imposed a condition for the proposed abandonment that BNSF must retain its interest in and take no steps to alter the historic integrity of all historic properties within the right-of-way that are eligible for listing in the National Register of Historic Places (National Register) until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed; and

**WHEREAS**, the STB has consulted with the Minnesota Historical Society (MN SHPO), pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act, and has determined that the proposed abandonment will have an effect on the rail line, a property eligible for listing in the National Register; and

**WHEREAS**, the STB has consulted with the MN SHPO, BNSF, and the Clay County Historical Society pursuant to Section 36 CFR 800.6 regarding ways to avoid, minimize or mitigate effects to the rail line and all have determined that no such measures are necessary;

**NOW THEREFORE**, the STB, BNSF, and MN SHPO agree that the execution of this Memorandum of Agreement by the parties hereto and its subsequent submission to the Advisory Council on Historic Preservation (Council) in accordance with 36 CFR 800.6(b)(1)(iv), shall, pursuant to 36 CFR 800.6(c), be considered to be an agreement with the Council for the purposes of the National Historic Preservation Act. Execution and submission of the MOA, and implementation of its terms, evidences that the STB has afforded the Council an opportunity to comment on the proposed action relating to the line, and that STB has taken into account the effects of the abandonment on historic properties and is satisfying the requirements of Section 106 of the National Historic Preservation Act (Title 16 USC Section 470(f).

**ACCEPTED AND AGREED:**

**SURFACE TRANSPORTATION BOARD**

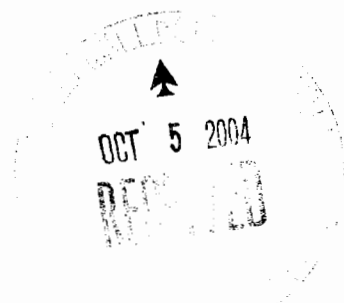
By: \_\_\_\_\_

Victoria Rutson


Chief, Section of Environmental Analysis

Date: \_\_\_\_\_

10-8-04



MINNESOTA HISTORICAL SOCIETY


By:  Date: 10/1/04  
Dennis Gimmestad Britta L. Bloomberg  
~~Government Programs & Compliance Officer~~ Deputy State Historic Preservation Officer

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

By:  Date: 10/8/04  
Sidney L. Strickland, Jr.  
Associate General Counsel

Concur:

CLAY COUNTY HISTORICAL SOCIETY

By:  Date: 8-30-04  
Mark Peihl  
Archivist